

## CAL-ACCESS: Lobbying Q & A

***Question: As a lobbying entity, how do I know if I have a requirement to electronically file my lobbying reports?***

**Answer:** Entities including a) lobbying firms; b) lobbyist employers; c) lobbyists; d) lobbying coalitions; and e) all other persons who spend \$5,000 or more to influence legislative or state agency administrative action who meet the threshold requirements are required to file both electronically and on paper.

***Question: What is the dollar amount or threshold that would trigger me to electronically file lobbying reports in the year 2000?***

**Answer:** The activity threshold for either the first or the second quarter of the year 2000 is \$100,000 for any category of reportable payments, expenses, gifts, contributions, or other items. Note that the total activity is the sum within a single category of reportable payments, expenses, etc., rather than the aggregate sum across all categories. Additionally, the dollar threshold only applies to a single calendar quarter.

As of July 1, 2000, the activity threshold drops to \$5,000 for the third quarter as well as any subsequent quarterly reports.

***Question: What specific lobbying reports am I required to file electronically?***

**Answer:** Once a filer reaches the threshold that triggers electronic filing, any and all reports required by the Political Reform Act must be filed both on paper and electronically. The paper requirement will be eliminated after the system is fully tested and proven.

***Question: If I am required to file electronically, am I still required to file paper copies with the Secretary of State? Are both the original and one paper copy still required to be filed?***

**Answer:** Yes. The original and one paper copy shall continue to be required by law, as well as the electronic submission.

***Question: Once I have met the qualifying activity threshold, would I ever be required to electronically file any reports retroactively?***

**Answer:** No. But all future reports must be filed electronically.

***Question: If I do not meet the qualifying activity threshold, can I electronically file lobbying reports with the Secretary of State on a voluntary basis at any time?***

**Answer:** Of course. You may voluntarily file electronic lobbying reports through an approved software vendor at any time. You will need to get a logon password and ID from the Secretary of State in order to file. The application for obtaining these passwords and ID's is on our web site at [www.ss.ca.gov/prd](http://www.ss.ca.gov/prd). However, once you file electronically, all subsequent reports must be filed electronically.

***Question: What is my first deadline to file electronically?***

**Answer:** Assuming that you have met the \$100,000 activity threshold, the first filing deadline for the first quarter of the current calendar year is May 1, 2000.

***Question: Do lobbyists incur separate electronic filing obligations?***

**Answer:** The Lobbyist Report (Form 615) must be filed electronically if the firm or employer is filing electronically. The Form 615 is a required attachment to either the Form 625 or the Form 635. (See Gov. Code § 86114 (a) (4) and Gov. Code § 86116 (e)). As a result, if a lobbying firm is required to file the Form 625 electronically, it also must file any attached Form 615's electronically. Similarly, if a lobbyist employer is required to file the Form 635 electronically, it also must file any attached Form 615's electronically.

***Question: Do the clients of a lobbying firm incur separate electronic filing obligations?***

**Answer:** When a lobbying firm incurs electronic filing obligations, the clients of such a firm do not automatically incur separate electronic filing obligations. Rather, the client must qualify on its own by meeting the dollar activity threshold for that quarter before incurring separate electronic filing obligations apart from the firm.

***Question: Must a lobbying firm or employer count contributions previously disclosed on their major donor or sponsored PAC campaign statement toward the qualifying dollar threshold for purposes of determining the firm's or employer's electronic filing duties?***

**Answer:** It depends on whether the information has already been reported on a campaign statement on file with the Secretary of State. If a lobbying firm or lobbyist employer is a major donor or has a sponsored committee, and if all the campaign contributions made by the lobbying firm or lobbyist employer were already disclosed, then the total amount of the campaign contributions previously disclosed are not required to be itemized on the lobbying firm's or lobbyist employer's quarterly report and, therefore, don't trigger electronic filing requirements.

Conversely, contributions which have not previously been reported, and which are required to be itemized on the lobbying report are still counted towards the qualifying dollar or activity threshold for electronic filing.

***Question: If a firm or employer does not meet the \$100,000 or \$5,000 threshold for electronic filing, are reports still required to be filed on paper?***

**Answer:** Absolutely. The filing requirements and schedules have not changed. Electronic filing is simply a new, additional way of filing in certain cases.

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